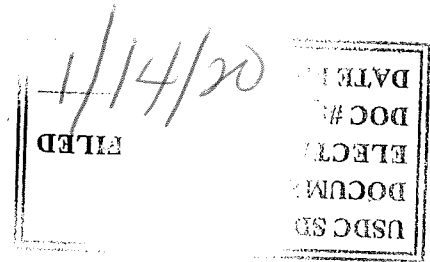


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
RONALD BARNES,
Plaintiff,

v.

CORRECT CARE SOLUTIONS, DR. PHILMAN,
and other staff of the Orange County Jail Medical
Department,
Defendants.
-----X

ORDER

18 CV 12288 (VB)

Plaintiff, proceeding pro se and in forma pauperis, brings this civil rights action against defendants Correct Care Solutions, Dr. Sorrel Feldman (incorrectly sued as Dr. Philman), and other staff of the Orange County Jail Medical Department. (Doc. #10).

On November 6, 2019, defendants Correct Care Solutions and Dr. Feldman (the “moving defendants”) filed a motion to dismiss the complaint. (Doc. #17). That day, the moving defendants served plaintiff via regular mail with a copy of the motion and supporting papers. (Doc. #20).

On November 27, 2019, the Court received a letter from plaintiff requesting appointment of pro bono counsel in two federal civil cases, including the instant case. (Doc. #24).

On December 2, 2019, the Court denied without prejudice plaintiff’s request for appointment of pro bono counsel in this case. (Doc. #25). The Court also sua sponte extended to December 30, 2019, plaintiff’s time to oppose the pending motion to dismiss. (Id.). The December 2 Order warned plaintiff, in bold and underlined font, that the pending motion will be deemed fully submitted and unopposed if plaintiff failed to oppose the motion by December 30, 2019. (Id.).

In a separate Order dated December 5, 2019, the Court reminded plaintiff the pending motion to dismiss will be deemed fully submitted and unopposed if plaintiff failed to oppose the motion by December 30, 2019. (Doc. #28).

To date, plaintiff has failed to file an opposition to the motion or seek an extension of time to do so.

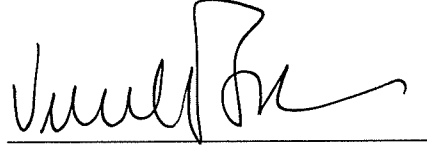
Accordingly, the Court deems the motion fully submitted and unopposed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

The Clerk is directed to mail a copy of this Order to plaintiff at the address on the docket.

Dated: January 14, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge